

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PETE W. SMITH,)	4:05CV3237
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
J.C. PENNEY CORPORATION, INC.,)	
)	
Defendant.)	

This matter is before the court upon Plaintiff's motion for an enlargement of time (filing 21), supported by the joint stipulation of the parties (filing 20). Plaintiff seeks an enlargement of time until May 30, 2006 to respond to Defendant's pending Motion to Compel Arbitration and Dismiss or Stay Action. The joint stipulation provides that "all current deadlines for filing with this Court, including the time within which the Plaintiff has to file his brief in response to Defendant's Motion to Compel Arbitration and Dismiss or Stay Action should be continued 45 days."

Upon consideration of the matter, I find that the motion should be granted and further, that an order extending all other deadlines for filings for 45 days should be entered.

Accordingly,

IT IS ORDERED:

1. The motion in filing 21 is granted, and Plaintiff is granted an enlargement of time until May 30, 2006 to respond to Defendant's pending Motion to Compel Arbitration and Dismiss or Stay Action;

2. In light of paragraph 2 of the joint stipulation of the parties, Plaintiff is ordered to file a motion to dismiss this action with prejudice (or to show good cause why said motion has not been filed) no later than June 14, 2006;
3. All other current deadlines for filing with this court are continued for 45 days after the current deadlines (not 45 days after the entry of this order); and
4. Absent compliance with this order, this case (including all counterclaims and the like) may be dismissed without further notice.

April 19, 2006.

BY THE COURT:

s/Richard G. Kopf
United States District Judge